



STAFF REPORT

TO: John Galt, Hearing Examiner
FROM: Troy Davis, Senior Planner
HEARING DATE: September 14, 2017 at 10:00AM
FILE: Sherlock Storage (SPR17-001 & CUP17-001)

I. INTRODUCTION

A. APPLICATION

Developer/Applicant: David Beal
Sherlock Investments, LLC
700 Hwy 308
Poulsbo, WA 98370

Contact: Aaron Beal
Sherlock Investments, LLC
PO Box B
Keyport, WA 98345

Property Owner: Sara Harding
23729 NE 127th Street
Redmond, WA 98053

Project Location: 14441 Main Street NE
Duvall, WA 98019

Parcel Number: 2426069058

Requested Action: The Developer is seeking Site Plan Review and Conditional Use approvals for their proposed indoor self-storage facility. This proposal triggers the requirement for Conditional Use approval because of its location within an Industrial Zone (which allowed uses are subject to additional requirements) and because the proposed building size is greater than the 65,000 square feet limitation. The Developer has also submitted a Departure Request from retaining wall height limitations contained within Duvall Municipal Code Chapter 14.34 (Design Guidelines).

Review Processes: 1. Site Plan Review – Type III, Hearing Examiner Decision (with recommendation made by the City's Planning Commission)

2. Conditional Use Permits – Type III, Hearing Examiner Decision
3. Departure Request --- Type I Administrative Decision

Project Timeline:

Pre-Application Meeting:	January 5, 2017
Application Submitted:	March 3, 2017
Notice of Complete Application:	March 22, 2017
Notice of Application:	April 4, 2017
Notice of Application Comment Period Ends	April 18, 2017
Additional Information Requested (clock stopped):	April 6, 2017
Additional Information Submitted (clock started):	June 16, 2017
Additional Information Requested (clock stopped):	July 19, 2017
Additional Information Submitted (clock started):	August 10, 2017
SEPA Issued:	July 24, 2017
SEPA Comment Period End:	August 7, 2017
SEPA Appeal Period End:	August 14, 2017
First Site Plan/Design Review by Planning Commission	August 9, 2017
Second Site Plan/Design Review by Planning Commission	August 23, 2017
Notice of Public Hearing:	August 31, 2017
Public Hearing:	September 14, 2017
120-Day Review Period Ends:	October 2, 2017
Number of days in review at time of public hearing:	103 Days

B. EXHIBITS

1. Staff Report (*Dated August 25, 2017*)
2. Master Permit Application (*Resubmitted June 16, 2017*)
3. Site Plan Review Application (*Submitted March 3, 2017*)
4. CUP-General (*Submitted March 3, 2017*)
5. CUP-LI (*Submitted March 3, 2017*)
6. CUP-65,000+ (*Submitted March 2, 2017*)
7. Aerial View of Property (*Submitted March 3, 2017*)
8. Future Land Use Map
9. Current Zoning Map
10. Notice of Complete Application (*Issued March 22, 2017*)
11. Notice of Application (*Issued April 4, 2017*)
12. Affidavit of Posting and Mailing Notice of Application (*Dated April 3, 2017*)
13. Additional Information Request Memo (*Issued April 6, 2017*)
14. Departure Request – Wall Height (*Submitted June 16, 2017*)
15. Commitment for Title Insurance (*Dated June 2, 2017, Submitted June 16, 2017*)
16. FEMA Map (*Submitted June 16, 2017*)
17. Design Review Packet 1 (*Issued August 2, 2017*)
18. Plan Set (*Resubmitted June 16, 2017*)
19. Sensitive Area Study (*Dated June 13, 2017, Resubmitted June 16, 2017*)
20. ESA Sensitive Area Compliance Review Memo (*Dated July 13, 2017*)

21. SEPA Checklist (*Dated June 6, 2017, Submitted June 16, 2017*)
22. Amended SEPA Threshold Determination (*Issued July 24, 2017*)
23. SEPA Affidavit of Posting & Mailing—City (*Dated July 21, 2017*)
24. SEPA Affidavit of Publication--Seattle Times (*Received August 1, 2017*)
25. Geotechnical Report (*Dated December 9, 2016, Resubmitted June 16, 2017*)
26. Geotechnical Considerations for New Foundations (*Dated February 23, 2017, Resubmitted June 16, 2017*)
27. Phase I Environmental Assessment (*Dated December 16, 2016, Resubmitted June 16, 2017*)
28. Preliminary Phase II Subsurface Investigation (*Dated January 26, 2017, Resubmitted June 16, 2017*)
29. Technical Information Report (*Dated June 2, 2017, Resubmitted June 16, 2017*)
30. Puget Sound Energy Letter RE: Overhead Powerlines (*Dated April 14, 2017, Submitted June 16, 2017*)
31. Tree Protection Memo (*Dated May 25, 2017, Submitted June 16, 2017*)
32. Trip Generation/Parking Demand Memorandum (*Dated February 24, 2017, Submitted March 3, 2017*)
33. Culvert Improvement Plan (*Submitted May 16, 2017*)
34. Waste Management Service Agreement (*Dated May 4, 2017, Submitted June 16, 2017*)
35. Additional Information Request Memo (*Issued July 19, 2017*)
36. Notice of Public Hearing (*Issued August 31, 2017*)
37. Affidavit of Posting and Mailing Notice of Public Hearing—City (*August 30, 2017*)
38. Affidavit of Publication of Public Hearing – Seattle Times (*placeholder*)
39. Public Comments (*Submitted up through September 5, 2017*)
40. Client Attorney Letter to Lara Thomas (*Dated June 6, 2017, Submitted June 6, 2017*)
41. Lara Thomas Response to Client Attorney (*Dated June 6, 2017*)
42. Client Attorney Response Letter to Lara Thomas (*Dated June 12, 2017, Submitted June 12, 2017*)
43. Planning Commission Agenda (*Dated August 9, 2017*).
44. Planning Commission Approved Meeting Notes from August 9, 2017
45. Design Review Packet 2, (*Issued August 17, 2017*)
46. Planning Commission Agenda (*Dated August 23, 2017*).
47. Planning Commission Approved Meeting Notes from August 23, 2017 (*placeholder*)
48. Conditional Use Permit Criteria Evaluation
49. Planning Commission Recommended Elevation
50. ESA 2nd Review Letter (*Dated September 1, 2017*)

II. BACKGROUND INFORMATION

A. PROPOSED LAND USE ACTION

The Applicant is proposing to construct an indoor self-storage facility at 14441 Main Street NE. The self-storage building will consist of three stories plus a basement. It will be a maximum of 38.68 feet in height (as measured from the average grade elevation of the sidewalk along Main Street to the eaves). The building will be 90,084 square feet in area (including an office/retail area of 863 square feet). The building is designed so that 21,793

square feet of the building is placed below street grade and 68,291 square feet is placed above street grade, thus reducing the appearance of the size of the building.

B. GENERAL DESCRIPTION OF PROPOSED IMPROVEMENTS

General Description: This proposal is for an indoor self-storage facility that will include site improvements such as a new self-storage building, an on-site parking lot, perimeter landscaping, sensitive area enhancement (with reduced buffer and off-site mitigation), stormwater management, utility connections, and pedestrian open space. This proposal will necessitate the removal of existing on-site structures and hardscapes inclusive of a mobile home, shop, shed, fencing, and cement pads which extend into the sensitive area buffers of both Thayer Creek located west of the property and a Class III Wetland located to the south of the property.

Building: The proposed building will be situated adjacent to Main Street with a front façade that is designed to “activate” the street or, public realm. This is done through modulation (off-sets in the elevation), the inclusion of windows, and the inclusion of pedestrian oriented space between the building and the sidewalk (noted below). The massing of the front façade is also grouped into three parts to help give the appearance of three smaller and attached buildings as opposed to one large building. A traditional gable roof along the street side of the building also softens the mass appearance of the single, large building. The addition of a cupola above the principle gable roof helps tie the building’s architecture into the local rural vernacular. The building will also feature modulation on the other three sides of the building to break up the appearance of one building into a conglomerate of smaller units. Siding treatments include variation in material and color Recessed mock window inserts are included on the less visible elevations of the north and west. (The mock windows appear and function as normal windows; however, instead of providing a visual into the building from the street, they will provide a visual into closed off display areas). The southern façade, perpendicular to the front façade (east facing), includes the primary entrance to the building. This elevation also features extensive modulation, windows, and pedestrian weather protection that help “activate” this side of the building. A pedestrian pathway connects the primary entrance to the sidewalk. Individual storage units are accessed from within the building.

Exterior Lighting: Exterior lighting will be provided in the parking area and plazas with lighting shielded from adjacent sensitive areas to the south and west. No exterior lighting is proposed on the west facade.

Frontage Improvements: Frontage improvements are currently being installed as part of the City’s Main Street Improvement Project extending from the intersection of Main Street and Valley Street NE to the intersection of Main Street and Big Rock Road. Frontage improvements will consist of curb, gutter, and 8-foot wide sidewalk. The applicant is responsible for all landscaping requirements, and for replacing any damaged or broken curb, gutter, or sidewalk.

Pedestrian Oriented Space: Two public plazas (formally regulated as “pedestrian oriented spaces”) totaling 808 square feet will be provided with public amenities such as seating, weather protection, lighting, and landscaping. These plazas will be adjacent to and accessible from Main Street.

On-Site Parking: The parking lot will consist of 10 vehicular parking spaces and four loading spaces with permeable asphalt included within the parking stalls. Covered bike racks are also provided.

Landscaping: Landscaping is proposed around the perimeter of the property providing screening and visual/seasonal interest to the building. Landscaping will provide screening along the blank basement wall exposed on the north, west, and south sides of the building. Landscaping around the perimeter of the parking lot will help provide visual screening from the public right-of-way. Landscaping will consist of native and non-native species. Trees will also be planted around the perimeter of the property. Extensive native vegetation restoration work will occur within the stream and wetland buffers that extend on-site.

Administrative Planning Departure – Retaining Wall Height (see Exhibit 14). The developer has submitted a planning departure request from the requirement of DMC 14.34.030(B)(2)(a) which requires that retaining walls be limited to no more than two four-foot terraced walls within one-hundred horizontal feet of each other. The proposed retaining wall is located on the south and west sides of the parking lot extending no higher than the grade of the parking lot. Because the wall is below grade, its visibility will be greatly reduced. Because of this, the Planning Department approves this departure request.

Sensitive Areas: As part of this proposal, buffer enhancement (restoration) will occur on-site within reduced sensitive area buffers for both Thayer Creek and the Class III Wetland (proposed reduction is 50% which equates to 50 feet and 30 feet respectively). Off-site mitigation on City owned land adjacent to the north will also be provided to compensate for the reduced on-site sensitive area buffers.

Stormwater: Stormwater facilities will be owned and maintained by the applicant (with annual compliance inspections by the City). Stormwater runoff generated by the proposed project will be treated on-site with a bioretention water quality facility before discharging off-site at an existing City-owned conveyance line immediately north of the subject property. Improvements to the outfall of the City-owned conveyance line will be required as part of the project.

Low Impact Design Elements: The proposal includes a bioretention near the southeast corner of the property providing for on-site stormwater water quality treatment before discharging off-site (outflow) to the Snoqualmie River. Pervious pavement material will also be used in a portion of the parking area.

Sewer: The site is currently serviced by an on-site septic system that will be decommissioned and removed in accordance with DOH, County, and all other applicable regulations. The

proposed storage facility will be connected to City sewer within Main Street. Recovery Contract 20041015000004 (\$15,765.68) shall be paid prior to connection to the City system.

Water: The site is currently connected to City water and is responsible for installing two fire hydrants (at the NE corner of the property and south side of the parking lot) in accordance with City of Duvall Municipal Code and Design Standards. Recovery Contract 20041021000723 (\$12,994.97) shall be paid prior to connection to the City system.

C. EXISTING SITE CONDITIONS

Lot Size: 42,385 Square Feet (0.97 Acres)

Current Land Use: Vacant (formerly occupied by a wood furniture making business)

Comprehensive Plan Designation: Light Industrial

Zoning Classification: Light Industrial

Neighboring Zoning and Development:

North: The lot adjacent to the north is zoned Public Facilities and is developed as the City's Wastewater Treatment Plant.

East: Property adjacent to the east is Main Street right-of-way. The lot directly across the street on the east side of Main Street is zoned Commercial and is undeveloped (a derelict shed is present).

South & West: The lot adjacent to the south and west is zoned Mixed Use and is undeveloped (a derelict barn is present); however, a mixed-use project known as Duvall Village is proposed for this site. **Note:** Extensive sensitive areas in the vicinity provide separation and screening between this lot and the lot of the proposed self-storage facility.

Site Description: The site is mostly cleared of vegetation and includes a double wide mobile home, a detached shop, and shed. The mobile home and associated impervious surface area is located within the sensitive area buffer of Thayer Creek and a Category III Wetland to the south. The property is surrounded by 6-foot high chain-link fence that encroaches onto City-owned property to the north. The encroachment also includes construction debris and soil from the site. The topography slopes gently toward the west. Frontage improvements are currently being installed as part of the City's Main Street capital improvement project.

Site & Situation: The subject property is located between Main Street on the east and Thayer Creek to the west near the intersection of NE 145th Street towards the south end of town. The site is adjacent to two sensitive areas: Thayer Creek to the west and a Category III Wetland to the south (with their respective buffers extending onto the site). Adjacent to the north is the City's wastewater treatment plant and immediately to the south is the proposed Duvall

Village mixed use project. This property is situated in the lower Snoqualmie Valley within the vicinity of the Snoqualmie River Trail and Snoqualmie River.

III. REVIEW PROCESS AND ANALYSIS

A. DEVELOPMENT REVIEW PROCESS

This Type III Application for Site Plan Review (SPR17-001) and Type III Applications for Conditional Use Approval (Collectively referenced as File Number CUP17-001) are subject to the applicable regulations set forth in the following chapters of Title 14 (Unified Development Code) of the Duvall Municipal Code:

1. DMC Chapter 14.08 – Permit Processing
2. DMC Chapter 14.10 – Zones, Maps, and Designations
3. DMC Chapter 14.30 – Light Industrial Zoning District
4. DMC Chapter 14.34 – Design Guidelines
5. DMC Chapter 14.38 – Landscaping Standards
6. DMC Chapter 14.40 – Tree Protections
7. DMC Chapter 14.42 – Sensitive Areas
8. DMC Chapter 14.44 – Parking Standards
9. DMC Chapter 14.46 – Exterior Lighting Standards
10. DMC Chapter 14.60 – SEPA
11. DMC Chapter 14.62 – Site Plan Criteria
12. DMC Chapter 14.64 – Additional Development Standards
13. DMC Chapter 14.68 – Conditional Use Permit Criteria

B. SITE PLAN/DESIGN REVIEW PROCESS

Site Plan Review applications submitted to the City are subject to review by the City's Planning Commission pursuant to DMC 14.08.010.C.2. The Planning Commission is responsible for reviewing a proposal for conformance with the City's applicable Design Guidelines codified in Duvall Municipal Code Chapter 14.34 with respect to building design (DMC 14.34.060) and pedestrian oriented spaces (DMC 14.34.050.B.8). After its review, the Planning Commission then makes a recommendation to the City's Hearing Examiner.

C. CONDITIONAL USE PERMIT CRITERIA ANALYSIS

Proposals triggering the need Conditional Use Permit approval are subject to the additional review criteria listed in Duvall Municipal Code Chapter 14.68 (Conditional Use Permit Criteria) See Exhibit 48.

D. STAFF FINDINGS OF FACT

Sections I-III(A-C) above are included with the following Staff Findings of Fact:

1. DMC Chapter 14.08 – Permit Processing

Types of Project Permit Applications

- a. Per §14.08.010.C.1, the submitted applications for Site Plan Review and Conditional Use are Type III permits. The application for Administrative Departure is a Type I permit.
- b. Per §14.08.010.C.2, Type III permits require an open record public hearing and decision by the Hearing Examiner. Type I permits require a decision by the Planning Director.
- c. In compliance with §14.08.010.C.3, the following procedures for Type III applications was followed:

Action	Date Issued	Deadline	Comment Period End
Pre-Application Meeting	Held: 1/5/17	NA	NA
Notice of Completeness	3/22/17	3/31/17	NA
Notice of Application	4/4/17	4/14/17	4/18/17
SEPA Determination	7/24/17	NA	8/7/17
Notice of Hearing	8/31/17	9/4/17	NA

- d. In compliance with §14.08.010.C.4, the Notice of Completeness (*see Exhibit 10*), the Notice of Application (*see Exhibit 11*), the SEPA Determination (*see Exhibit 22*), and the Notice of Public Hearing (*see Exhibit 36*) were noticed in accordance with the requirements of this subsection. The Notice of Decision and Notice of Open Record Appeal (if applicable) will be distributed in compliance with the requirements of this subsection following the public hearing on this application.

Types I-IV Project Permit Applications

- e. In compliance with §14.08.020.G, the applications for Site Plan Review and Conditional Use were processed within (120) days after the applicant was notified that the application was complete (subject to time calculation exclusions permitted under §14.08.020.G.4).
- f. In compliance with §14.08.030.A, the Notice of Application included the required items listed in this subsection (*see Exhibit 11*), was issued within 14 days from the time the City issued a Notice of Complete Application (*see Exhibit 10*), and included a 14 day comment period (no comments were received).

Public Notice

- g. In compliance with §14.08.030.D, SEPA notification was provided in accordance with the requirements of this subsection (*see Exhibits 23 & 24*).
- h. In compliance with §14.08.030.E, a Notice of Public Hearing was provided in accordance with the requirements of this subsection (*see Exhibit 36*).
- i. In compliance with §14.08.030.F, the public hearing notice contents and distribution methods required by this subsection were followed (*see Exhibit 36*).

Consistency with Development Regulations and SEPA

- j. In compliance with §14.08.040.A, the Site Plan Review and Conditional Use Permit applications, as conditioned, are consistent with all applicable development regulations and SEPA mitigating measures.
 - k. In compliance with §14.08.040.B, the City reviewed the permit application for compliance with SEPA (*see Exhibit 22*).
2. DMC Chapter 14.10 – Zones, Maps, and Designations

Zoning Map Designations Established / Zoning Maps and Boundaries

- a. Per §14.10.010 and §14.10.030, the subject property is zoned LI – Light Industrial (*see Exhibits 8 and 9*).

3. DMC Chapter 14.30 – Light Industrial Zoning District

Permitted Uses

- a. In compliance with §14.30.020.W, self-storage facilities are a permitted use within the Light Industrial Zone.

Conditional Uses

- b. Per §14.30.040.B, buildings greater than 65,000 square feet are subject to a conditional use permit. The applicant has applied for a conditional use permit for this proposal as the proposed building is 90,084 square feet in size (*see Exhibit 6*).

Development Standards

- c. In compliance with §14.30.050.A, the proposed self-storage facility meets the minimum lot area and site requirements:

Subject	Requirement	Proposed	Notes
Minimum Density	NA	0	No residential dwelling units are proposed.
Maximum Density	Determined by site limitations	0	
Minimum Lot Area	0	42,385 Square Feet	Preexisting legal lot
Minimum Street Setback	0-20ft.	5ft. & Less	
Minimum Interior Setback	5ft.	5+ft.	
Minimum Lot Width	25ft.	199ft.	Preexisting legal lot
Maximum Impervious Surface	85%	71.73% (30,404sf)	
Maximum Height	45ft. ¹	38.68ft.	

¹Three floors allowed on uphill side and four floors allowed on downhill side. Building height calculation is specified in DMC 14.64.130.B.

4. DMC Chapter 14.34 – Design Guidelines

Site Planning – Principles

- a. In compliance with §14.34.020.B.1, the site plan has a unifying organization that takes into account site conditions and adjacent land uses. The site plan shows a unifying organization that considers site conditions and adjacent land uses. Formal sensitive area buffers that extend on-site are identified and established. The proposed building meets required setbacks and provides buffer landscaping to these sensitive areas. The storage facility utilizes a basement which works with the sloping topography of the site. Adjacent to the North is the City's Sewer Treatment Plant. This proposed use will not attract large concentrations of people that could be disturbed by odors generated by the sewer treatment plant. To the south is the proposed Duvall Village, a mixed-use development. Extensive sensitive areas exist between the proposed storage facility providing both a visual and spatial buffer from the mixed-use development. To the east is the Snoqualmie Valley Trail where again, views of the facility will be limited due to vegetation within existing sensitive areas between the storage facility and the trail. To the west is Main Street. The building façade includes design features that contribute to and help activate the streetscape including covered pedestrian oriented space.
- b. In compliance with §14.34.020.B.2, a convenient and connected pedestrian and vehicular circulation is provided. The site plan shows convenient and connected pedestrian and vehicular circulation. Direct pedestrian access from the street to the primary building entrance is provided. Vehicular access is from Main Street is provided. The parking area has been sized appropriate to the use, preventing an oversupply of parking which can complicate access. Variation is provided on the building frontage.
- c. In compliance with §14.34.020.B.3, the architecture of the front façade features rural characteristics that complement the village character of Duvall. Adjacent uses and buildings are enhanced by the fact that the existing condition of the site will be improved by the removal of unsightly buildings and topographical conditions and by the fact that sensitive area buffers will be restored.
- d. In compliance with §14.34.020.B.4, the façade design, landscaping, and pedestrian oriented space of the storage facility serve to organize the site, create points for community gathering and incorporates screening, environmental mitigation, utilities and drainage as positive amenities in the overall site design. These elements work together to organize the site because they are well integrated within the site and to the adjacent street. Landscape screening is provided around the periphery of the site which will increase the amount of vegetation that is currently on site. The pedestrian oriented spaces are provided along the street and include weather protection (roof overhang) that allow for year-round pedestrian use. Environmental mitigation is provided through restoration of the currently degraded sensitive area buffers. Off-site sensitive area mitigation is also provided in exchange for reduced sensitive area buffers on-site. On-site environmental clean-up will also be completed.
- e. Per §14.34.020.B.5, developments are required to connect with road, sidewalk, or trail stubs that abut the subject lot; however, abutting developed land does not provide

road stub-outs, easements, or opportunities for future road or trail connections and is therefore not required to connect to adjoining properties.

Grading, Stormwater Management and Site Coverage

- f. Per §14.34.030.B.1, extensive clearing and grading is discouraged; however, the site has previously been cleared and extensive fill has been brought into the site in association with prior development. This fill is unsuitable for proposed development of the site and will be removed during construction.
- g. Per §14.34.030.B.1.a, sites shall be designed to blend into the existing topographic contours and minimize cuts and fills. Some excavation is necessary to complete foundation work. Excavation work will cut the existing grade to a depth of approximately 8 feet (on the eastern edge) of foundation to about 2 feet on the western edge of the foundation. Suitable fill will be added under the parking area to create a level (slightly tilted) parking area. Fill will be between approximately 1 to 8 feet in depth under the parking lot.
- h. Per §14.34.030.B.1.b, large grade changes are to be divided by a series of benches and landscaped terraces. Large grade changes are not proposed as part of this project. Terracing is not required.
- i. In compliance with §14.34.030.B.1.c, the Public Works and Planning Directors find that due to site constraints, the proposed retaining walls on site (around the western and southern periphery of the parking lot preferred to a planted slope for parking lot surface stability and sensitive area protection.
- j. In compliance with §14.34.030.B.2.a, the proposal does not include any terraced retaining walls; however, two four-foot terraced retaining walls may be necessary along the north edge of the property once debris are removed from City property and the fence line is relocated to reflect parcel (lot) lines (*see Condition 14*). The proposed retaining wall along the southern and western edges of the parking area do exceed the four-foot limitation in certain portions of the wall. A departure request has been submitted for this exceedance (*see Exhibits 14 and 18*).
- k. In compliance with §14.34.030.B.2.b, no retaining wall is proposed along the Main Street right of way. The retaining wall that is perpendicular to the right-of-way begins 13 feet back from the right-of-way.
- l. In compliance with §14.34.030.B.2.c, the retaining walls will not be significantly visible from the adjacent right-of-way (below grade, perpendicular to). Landscaping in accordance with DMC Chapter 14.38 is provided.
- m. In compliance with §14.34.030.B.2.d, no large block walls are proposed.
- n. In compliance with §14.34.030.B.2.e, the retaining wall is designed to fit its surrounding and complement existing conditions. The retaining wall will be below the street grade and below the parking lot grade, minimizing its visual impact.
- o. In compliance with §14.34.030.B.2.g, Three plus feet of landscaping is proposed in front of the retaining wall.

- p. In compliance with §14.34.030.B.2.h, a departure request has been submitted for the portion of the retaining wall that exceeds the 4 four-foot limitation.
- q. In compliance with §14.34.030.C.1, the proposed bioswale is designed as a landscape amenity and provides a natural appearance through layout, design and landscape treatment.
- r. Per §14.34.030.C.1.a, fencing is required around stormwater ponds. A bioswale is proposed instead of a stormwater pond so perimeter fencing is not required. Slopes will not exceed a 3:1 ratio.
- s. In compliance with §14.34.030.C.1.b, perimeter landscaping is provided around the bioswale.
- t. In compliance with §14.34.030.C.2, the proposed bioswale treats stormwater to the Enhanced Basic level required by the Department of Ecology and is well integrated into the overall site and landscape design. It is landscaped with appropriate species.
- u. In compliance with §14.34.030.D.1, impervious surface in the Industrial Zone is limited to 85%. The proposal has an impervious surface percentage of just under 72%.
- v. In compliance with §14.34.030.D.2, native-vegetation will be added to the sensitive area buffers that extend on-site in addition to other provided landscaping on-site.
Note: The site is currently cleared of most vegetation.
- w. Per §14.34.030.D.3, the use of pervious material is encouraged. Permeable pavement is proposed in the parking lot; however, the TIR (*see Exhibit 29*) states permeable pavements are infeasible (*see Condition 23*).

Street Network

- x. Per §14.34.040.A.2.a, the proposed self-storage facility is adjacent to Main Street, which is a primary pedestrian corridor.
- y. Per §14.34.040.A.2.a.i, a twelve foot minimum width sidewalk with eight feet of unobstructed width is required; however, the City is in the process of improving pedestrian access along the Main Street corridor. A planter strip with street trees between the sidewalk and curb will not be provided; however, an eight-foot unobstructed sidewalk will be constructed. The proposed project will incorporate street trees within a minimum 4-foot wide landscape area along the back side of sidewalk.
- z. In compliance with §14.34.040.A.2.a.iii, street trees will be placed at the back side of sidewalk at an average space of 30 feet on-center.
- aa. In compliance with §14.34.040.A.2.a.iv, pedestrian lighting will be provided by new street lamps added as part of the City's Main Street improvement project. Under mounted lighting will be provided in the pedestrian oriented space adjacent to the street.

Lot Standards – Nonresidential Developments

- bb. Per §14.34.050.B.2.a, nonresidential developments are to complement adjacent structures through placement, size, and mass; however, There are no adjacent structures to the proposed self-storage facility to the east, south, or west. To the north is the City's wastewater treatment plant.
- cc. Per §14.34.050.B.2.b, natural elements of the site are to be integral design features. Wetland and stream buffers that extend on-site will be vegetated with native plantings. Off-site mitigation will also occur in exchange for reduced sensitive area buffers on-site (*see Condition 1*).
- dd. In compliance with §14.34.050.B.2.c, pedestrian oriented spaces are provided adjacent to Main Street. A direct pedestrian walkway connects the building's main entrance to the sidewalk. The parking lot is not large enough to require pedestrian pathways. The sidewalk in front of the access drive will be clearly identifiable because it will be made of a different paving material then then access drive.
- ee. In compliance with §14.34.050.B.2.d, safe ingress and egress is provided to Main Street which meets City of Duvall public works standards for access.
- ff. In compliance with §14.34.050.B.2.e, the proposed storage facility will meet all applicable standards of this title with regards to pedestrian accommodation.
- gg. In compliance with §14.34.050.B.3.a.i, the proposed storage facility will be located adjacent to the sidewalk on Main Street and feature a pedestrian oriented façade with windows, pedestrian access to the building, and pedestrian oriented space. The ground level finished floor elevation will be within 3 feet of the adjacent sidewalk grade.
- hh. In compliance with §14.34.050.B.3.a.ii, The parking lot is located to the side of the building. The parking area has approximately 45 feet of frontage along Main Street.
- ii. In compliance with §14.34.050.B.4.a, 55% of the frontage along Main Street is occupied by a building. **Note:** This site is within the Light Industrial (LI) zone and not the CO, MU12, or MT zones specified in this code section.
- jj. In compliance with §14.34.050.B.4.c, no drive through facility is proposed.
- kk. In compliance with §14.34.050.B.7.a, the primary building entrance does not directly face Main Street; however, it is clearly connected to Main Street via a walkway. The primary entrance is located within 20 feet of the sidewalk.
- ll. In compliance with §14.34.050.B.7.b, internal walkways adjacent to the proposed building have a minimum width of eight feet.
- mm. Per §14.34.050.B.7.c, pedestrian pathways are required between all entries of multiple commercial buildings onsite; however, only one building is proposed as part of this development.
- nn. Per §14.34.050.B.7.d, opportunities for future connection to adjacent properties is required; however, opportunity for future connection of the site to the vacant land to the south is not feasible to do the presence of sensitive areas.
- oo. In compliance with §14.34.050.B.7.e, the proposed pedestrian on-site pedestrian circulation system is connected with the adjacent sidewalk system.

pp. In compliance with §14.34.050.B.7.f, there are proposed pedestrian routes on the property located to the south and west; however, the presence of sensitive areas precludes the construction of a pedestrian connection.

qq. Per §14.34.050.B.7.g, new development is encouraged to provide pedestrian connections to existing and planned trails; however, the subject site is not adjacent to an existing or planned trail system.

Pedestrian Oriented Spaces

Project compliance with Pedestrian Oriented Space requirements was reviewed by the Planning Commission (*see Exhibits 17, 43, 45, & 46*).

Additional Landscaping Requirements

rr. Per §14.34.050.B.9, development sites adjacent to Main Street must provide at least ten feet of Type I landscaping between the sidewalk and any passive ground floor use; however the proposed plaza area and associated landscaping and pedestrian amenities precludes ten feet of landscaping.

Parking, Garages, and Vehicular Access

ss. In compliance with §14.34.050.B.10.a, the proposed parking lot is located to the side of the building along Main Street which is identified as the primary pedestrian corridor.

tt. In compliance with §14.34.050.B.10.b, the proposed parking lot is located to the side of the building.

uu. In compliance with §14.34.050.B.10.c, the proposed parking lot is not adjacent to an intersection.

vv. In compliance with §14.34.050.B.10.i, the proposed storage facility is adjacent to Main Street and complies with the City's access management regulations and complies with commercial driveway requirements.

Mixed Use and Nonresidential Building Design

Project compliance with nonresidential building design requirements was reviewed by the Planning Commission (*see Exhibits 17, 43, 45, & 46*).

5. DMC Chapter 14.38 – Landscaping Standards

Landscape Plan Design Criteria—General

a. The proposed landscaping plan is in general compliance with the general landscape plan design criteria listed in §14.38.050.A-P. Proposed perimeter landscaping will help soften the building elevations, blend with existing native landscaping to the west and south, provide an area of transition between the public realm (of the street) and the private realm (of the development), blend with vegetation on adjacent lots, and meet minimum dimensional requirements.

Minimum Landscape Area Requirements

b. In compliance with §14.38.060.A-B, 20.20% of the net developable area is landscaped.

Parking Lot Landscaping

- c. Per §14.38.070.A.1, 50% of the surface area of the parking lot is required to be shaded. Current plans show a shading of 17.8%; however, installation of pervious pavement is intended to mitigate the shading deficit (*see Condition 23*).
- d. Per §14.38.070.A.2, parking lot landscaping is to be dispersed throughout the parking lot in islands, buffers and planter strips. Since the parking lot size does not trigger the need for landscape islands or planter strips, only perimeter landscaping is provided.
- e. In compliance with §14.38.070.A.4.a, the parking lot is screened with a landscape buffer that has a minimum width of 5 feet.
- f. In compliance with §14.38.070.A.5 a minimum of 350 square feet of landscaping is provided (25sf per stall).
- g. In compliance with §14.38.070.A.8, no parking stall is in excess of 50 feet from a landscape strip.
- h. In compliance with §14.38.070.A.9, more than 4 trees are provided for the 14 stalls and no more than eight stalls are provided in a row between landscape areas.
- i. In compliance with §14.38.070.A.10, wheel stops are provided and groundcover is proposed adjacent to the end of the stall.
- j. Per §14.38.070.A.11, parking stalls adjacent to a landscape area are required to have an 18 inch step out area. None are shown (*see Condition 2*).

Landscape Area Width and Type

- k. In compliance with §14.38.090.A, a minimum of 5 feet of Type II landscaping is provided in front of proposed retaining walls.
- l. Per §14.38.090.A, a minimum of 10 feet of Type II landscaping is required between compatible uses (in this instance along the project site's northern boundary between the proposed storage facility and the City's wastewater treatment plant); however, the adjacent use is the City's wastewater treatment plant, in which case the City has determined that a reduced landscape buffer in accordance with §14.38.030.E, is acceptable.
- m. In compliance with §14.38.090.A, a minimum of 10 feet of Type II landscaping is provided between the parking lot and back side of sidewalk.
- n. In compliance with §14.38.090.A, a minimum 5-10 feet of Type II landscaping is provided around the perimeter of the parking lot.
- o. In compliance with §14.38.090.A, the sight triangles at the parking lot access drive are landscaped with Type III landscaping.
- p. In compliance with §14.38.090.A, hydrants are landscaped the minimum 3-foot width clearance with cobblestone (**Note:** Type III is generally required, which is groundcover; however, cobblestone meets the intent).
- q. Per §14.38.090.A, stormwater facilities must be landscaped with a 15 foot Type V buffer, of which a minimum of 80% of the trees and shrubs must be evergreen. The buffer provided is 7 feet in width on the north and south ends and 15 feet and 25 feet

on the east and west sides respectively. It appears that the minimum requirement for 80% evergreen plant types may not be met (noted Salal not quantified). Based on the quantifiable plant species noted (24 deciduous, and 3 evergreen), only 12.5% are evergreen. Staff finds a consistent 15-foot buffer is not necessary because the intent of the screening requirements are met (except for evergreen percentage) since sensitive areas are adjacent to the west and south of the facility, 15 feet is provided between the parking lot and facility, and the 7 feet provided between the facility and the building on the north is acceptable because the use is not active retail and will not be visible from the building (*see Condition 3*).

- r. In compliance with §14.38.090.A, a minimum of 15 feet of Type V landscaping is provided between the building and the sensitive area.

Buffer Requirements Between Zones and Uses

- s. Per Table §14.38.100.A, a minimum 20 foot landscape buffer is required between the subject property and the adjacent Mixed Use-12 zone adjacent to the south and to the west. Since there are existing critical areas adjacent to the south and west, a 20-foot landscape buffer along the south and western edges of the subject lot is not necessary. Because of an onsite sensitive area on the western portion of the property, there will be a 65-foot-wide vegetated area between the building and the western property line.

Street Trees

- t. In compliance with §14.38.120.B, the proposed street trees are Scarlett Sentinel Maples, which are an approved street tree.
 - u. In compliance with §14.38.120.B, street trees are provided that meet the minimum average spacing requirement of 25-40 feet (avg. provided is just over 21 feet). Note: Because no landscape strip is provided, street trees will be planted behind the sidewalk.
6. DMC Chapter 14.40 – Tree Protections

New Development Sites—Submittal Requirements

- a. Per §14.40.050.A, a minimum of 35% of significant trees on -site are required to be retained; however, the subject site is void of any significant trees.

7. DMC Chapter 14.42 – Sensitive Areas

Notice on Title-Plat Map-Site Plan

- a. In compliance with §14.42.100.B, the on-site sensitive area has been placed within a separate tract.

Temporary Marking, Permanent Survey Marking Fencing and Signs

- b. In compliance with §14.42.110.D, permanent wetland identification signs are shown along the edge of the wetland buffer spaced 50 feet on center.
- c. In compliance with §14.42.110.E, the sensitive area boundary is delineated with permanent fencing.

Building Setbacks

- d. In compliance with §14.42.120, the building is setback more than the minimum 10 feet required (building is setback 15 feet).

Wetland Buffer Standards

- e. Per §14.42.210.A, the standard wetland buffer (with 16 point habitat score) for the adjacent off-site Category III Wetland, designated as “Wetland C” is 60 feet.
- f. Per §14.42.210.B, the applicant is proposing a 50% wetland buffer reduction (from 60 feet to 30 feet) from the adjacent off-site Category III Wetland. Based on the submitted sensitive area study (*see Exhibit 19*) and recommendation of the City’s sensitive area consultant (*see Exhibits 20 and 50*), a 50% reduction in buffer width is justifiable provided an equivalent area off-site is enhanced (*see Condition 11*).

Wetland Mitigation

- g. Per §14.42.240.D, compensation for wetland buffer impacts is requires a 1:1 ratio with use of native vegetation (*see Condition 10*).
- h. In compliance with §14.42.240.H, the compensatory mitigation is provided in an approved off-site location on city-owned property.

Fish and Wildlife Habitat Conservation Areas—Stream Buffers

- i. Per §14.42.320.C, the standard buffer for Thayer Creek, a known Salmon bearing stream, is 100 feet.
 - j. Per §14.42.320.E a performance-based buffer is an allowed alternative to the standard buffer subject specific provisions.
 - k. Per §14.42.320.F, the applicant is proposing a 50% stream buffer reduction (from 100 feet to 50 feet) from the adjacent off-site Class II stream (Thayer Creek). Based on the submitted sensitive area study, (*see Exhibit 19*) and recommendation of the City’s sensitive area consultant (*see Exhibits 20 and 50*) a 50% reduction in buffer width is justifiable provided an equivalent area off-site is enhanced. The buffer reductions total an area of 12,718 square feet. Calculations in the plan, however, counted the required 3,054 square feet of required area enhancement associated with stormwater improvement impacts as part of the off-site mitigation area for sensitive area impacts. The off-site enhancement area associated with sensitive area impacts must be calculated separately from off-site enhancement areas associated with temporary impacts resulting from stormwater improvements (*see Condition 11*).
8. DMC Chapter 14.44 – Parking Standards

Computation of Off-Street Parking Spaces

- a. Per §14.44.040.H, the minimum required parking spaces for the self-storage facility is 1/3rd of a stall for every 500sf. The proposed storage facility is 88,164 square feet resulting in the requirement for 25 parking stalls; however, per §14.44.040.B, the applicant is requesting a 44% reduction in parking as allowed. The traffic analysis (*see Exhibit 32*) shows that weekday PM peak-hour parking demand will not exceed 9 vehicles. Based on this report, a 50% reduction in the minimum number of parking stalls is justifiable.

Bicycle Parking Requirements

- b. In compliance with §14.44.060.A, a bike rack parking facility for bicycles is provided.
- c. In compliance with §14.44.060.B, a total of 4 bicycle spaces are provided (only 1 is required).
- d. In compliance with §14.44.060.C, the bicycle facilities are located on-site and are designed to allow either a bicycle frame or wheels to be locked to a structure attached to the pavement.
- a. In compliance with §14.44.060.D, the bicycle parking is located in a safe and visible area that does not impeded pedestrian or vehicle traffic flow.
- b. In compliance with §14.44.060.F, the bicycle parking has direct access to both the public right-of-way and to the main entrance of the principle use.
- c. In compliance with §14.44.060.H, bicycle parking facilities are separated from motor vehicle parking areas by a sufficient distance to prevent damage to parked bicycles.
- d. In compliance with §14.44.060.I, the bicycle facilities are adequately illuminated.

ADA Parking Requirements

- e. In compliance with §14.44.060.B, the minimum number of ADA parking stalls are provided (1 required).
- f. In compliance with §14.44.060.C, the provided ADA parking stall is sized to accommodate a disable van-sized vehicle.
- g. In compliance with §14.44.060.D, the ADA van parking stall exceeds the minimum dimensional requirements.

Loading Space Requirements

- h. In compliance with §14.44.090.B, four loading spaces are provided.
- i. Per §14.44.090.C, each loading space is required to have a minimum width of 10 feet and minimum depth of 30 feet with a minimum clearance of 14.5 feet. Only 2 of the 4 stalls meet this requirement (see item “j” below).

Off-Street Parking Area Design Standards

- j. In compliance with §14.44.130.B, the parking stalls and isles meet the dimensional requirements for 90 degree angled parking.
- k. In compliance with Per §14.44.130.F, all off-street parking is located within 500 feet of the building.
- l. In compliance with §14.44.130.G, the parking lot has been designed so that exiting vehicles are not required to back into streets.
- m. In compliance with §14.44.130.H, wheel stops are provided in all parking stalls to prevent vehicles from overhanding walkways, property lines, and damaging landscaping.

- n. Per §14.44.130.I, parking stalls abutting landscaped areas are required to provide an additional 18 inches of width beyond the minimum lot width requirement. Stalls abutting landscaped areas only provide 6 inches of extra width (*see Condition 2*).
- o. In compliance with §14.44.130.L, lighting of the parking area is provided and designed to minimize direct illumination of adjacent properties and the street.

Pedestrian Circulation, Access and Design

- p. In compliance with §14.44.140.A, pedestrian access is provided to the site directly from Main Street.
- q. In compliance with §14.44.140.C.1, the pedestrian walkway is well lit and is physically separated from parking spaces by landscaping and landscape pots.
- r. In compliance with §14.44.140.C.2, the pedestrian walkways have an unobstructed width of over 60 inches.

Off-Street Parking Construction Standards

- s. Per §14.44.150, permeable pavements may be utilized in the parking areas. The applicant is proposing to use permeable pavements in the parking areas; however, the underlying soils are not suitable for infiltration, therefore a drainage system is required for the permeable areas to be connected to the on-site stormwater facility. Permeable concrete pavement may be utilized at the site for limited infiltration. (*see Condition 23*).

9. DMC Chapter 14.46 – Exterior Lighting Standards

General Requirements

- a. In compliance with §14.46.030.B, exterior lighting installations are designed to avoid harsh contrasts in lighting levels.
- b. In compliance with §14.46.030.D, lighting levels do not exceed 0.2 foot-candles as measured outside an exterior property line.
- c. In compliance with §14.46.030.G, the parking lot lighting is designed to provide sufficient illumination for comfort and safety.
- d. In compliance with §14.46.030.K, lighting of sensitive areas and their buffers is not proposed.
- e. Per §14.46.030.L, lighting is to be compliant with Design Guidelines. Per DMC 14.34.050.B.8.b.iii, lighting within the pedestrian oriented space is required to have a minimum average of 2 foot-candles. The proposed lighting plan shows an average less than 2 foot candles (*see Condition 4*).

Lighting Plan Requirements

- f. Per §14.46.040, a lighting plan is required (*see Condition 4*).

Open-Air Parking Lot Lighting

- g. In compliance with §14.46.060.B, open-air parking lot lighting has been designed to provide for uniform lighting throughout the facility with no dark patches or pockets.

- h. In compliance with §14.46.060.C, open-air parking lot lighting has been designed to provide sufficient lighting to identify parking features and provide pedestrian safety.
- i. Per §14.46.060.D, full cut-off light fixtures are required for open-air parking lots (*see Condition 5*).
- j. In compliance with §14.46.060.G-H, foot-candles on pavement are within the allowed 0.2-4.0 range and exceed the minimum foot-candles required 5 feet above pavement.

10. DMC Chapter 14.60 – SEPA

Threshold Determinations

- a. In compliance with §14.60.130, the City issued an Amended SEPA Threshold of Mitigated Determination of Non-Significance (MDNS) on July 24, 2017 (*see Exhibit 22*).

Public Notice and Comments

- b. In compliance with §14.60.130, the City provided notice of the SEPA Threshold Determination to both the public and agencies inviting comments to be submitted by 4:30PM on Monday, August 7, 2017 (*see Exhibit 23*). Comments were received by the Snoqualmie Tribe (*see Exhibit 51*).

SEPA Decisions – Substantive Authority

- c. In compliance with §14.60.230, the mitigating measures of the MDNS were determined with compliance to the requirements of this subsection (*see Exhibit 22*).

11. DMC Chapter 14.64 – Additional Development Standards

Site Distance Requirements

- a. In compliance with §14.64.160.A, sight distance triangles are provided at the vehicular entrance/exit from the parking lot onto Main Street.

Fences

- b. Per §14.64.180.E, certain fencing types are prohibited within the Light Industrial Zone. Perimeter fencing details not yet provided (*see Condition 6*).

12. DMC Chapter 14.68 – Conditional Use Permit Criteria

Staff evaluation of the proposal for compliance with Conditional Use Permit Criteria is contained within Exhibit 48.

IV. CONCLUSIONS

Having viewed the subject property and reviewed the applications and supporting materials staff makes the following conclusions:

1. The subject site is zoned Light Industrial (LI) and is designated as Light Industrial on the 2015 Comprehensive Plan Future Land Use Map.

2. The Applicant's request is for site plan approval and conditional use approval of a 90,084-square foot self-storage facility with associated site improvements including pedestrian oriented spaces.
3. In accordance with DMC Section 14.08.010.C, site plan review and conditional use permits are processed as Type III permits, requiring quasi-judicial review and approval by the Hearing Examiner.
4. In accordance with DMC Section 14.62.035, the Planning Commission reviewed the proposed self-storage facility and associated pedestrian oriented spaces for conformance with the applicable Design Guidelines in DMC Chapter 14.34 on August 9, 2017 and again on August 23, 2017 and recommended approval to the Hearing Examiner subject to certain conditions.
5. The proposed project has been reviewed under the provisions of the State Environmental Policy Act (SEPA). A Mitigated Determination of Non-Significance was issued on July 24, 2017. SEPA comments were received by the Snoqualmie Tribe and no appeals were filed by the August 15, 2017 deadline.
6. The proposed project has been reviewed for consistency with the 2015 Duvall Comprehensive Plan, Duvall Municipal Code (Title 14), 2016 Public Works Development Design Standards and has been found to comply with all applicable requirements as conditioned.
7. The statutory requirements for public notice for the land-use permit applications and the public hearing have been satisfied.

V. PLANNING COMMISSION RECOMMENDATION

The proposed Sherlock Self-Storage facility was presented to the City's Planning Commission for Design/Site Plan Review in accordance with DMC 14.62.035 on August 9, 2017 and August 23, 2017. After the Planning Commission's second review on August 23, 2017, the Planning Commission voted unanimously to recommend approval to the Hearing Examiner of the proposed building and pedestrian oriented space for the Sherlock Storage facility.

VI. STAFF RECOMMENDATION AND CONDITIONS

Based on the foregoing information and the exhibits attached to this report, staff recommends that the Hearing Examiner APPROVE the Site Plan (Exhibit 18) and Conditional Use Permit Application (Exhibits 4-6) for the proposed Sherlock Self-Storage Facility, inclusive of the Planning Commission's recommendation and the administratively approved departure request subject to the following conditions:

FROM PLANNING

General

1. A permanent wetland and bio-retention interpretive sign shall be installed on-site in the parking area adjacent to the bio-retention facility.
2. Parking stalls with sides adjacent landscape areas shall provide a hardscaped step out area a minimum of 18 inches in width the length of the stall.
3. The bio-retention facility shall be screened by a minimum 80% evergreen species.
4. A lighting plan consistent with the requirements of 14.46.040 shall be submitted and approved prior to construction.
5. Pole mounted and building mounted lighting fixture design specifications shall be submitted and approved prior to construction.
6. Fencing details shall be submitted and approved prior to construction.

Design Guidelines

7. Any roof mounted equipment shall be screened in compliance with DMC 14.34.060.B.9.1 and m;
8. Construction drawings shall be in substantial conformance with the building and pedestrian open spaces as recommended by the Planning Commission.
9. Pedestrian oriented space lighting shall average 2 foot-candles throughout the space.

Sensitive Areas

10. Mitigation tables that document ratios of impacts to mitigation shall be submitted to the City for review in accordance with ESA's review letter dated September 1, 2017 (*see Exhibit 50*) prior to construction drawing submittal.
11. The area required to offset buffer reduction and stormwater improvement impacts shall be calculated separately in accordance with ESA's review letter dated September 1, 2017 (*see Exhibit 50*).

Conditional Use

12. Site Plan Review approval is subject to Conditional Use Permit approval for this proposed use.

FROM PUBLIC WORKS/ENGINEERING

General

13. Construction Drawings shall be submitted for review and final approval. Infrastructure as-builts including, but not limited to, Stormwater, Sewer, Water, Walls and other site improvements shall be submitted and reviewed prior to final approval.
14. All site encroachments, debris, and soil shall be removed from the City of Duvall property to the north. Up to two retaining walls, maximum height four feet each, shall be installed at and immediately north of property line to establish a maximum 4:1 slope from the base of the debris to the existing City Improvements. Mitigation planting shall be limited the area between the two walls in accordance with an approved landscape plan.

Water

15. The water system for the Sherlock Storage facility shall connect within Main Street NE (SR-203) on the east side of the roadway in the 330-pressure zone.
16. Any water easements shall meet Duvall Design Standards and be a minimum of 15' in width if one utility line is involved or a minimum of 20' in width if two utility lines are involved.

Sewer

17. Any existing septic drainfields must be identified, removed appropriately and abandoned per King County Department of Health regulations.
18. All contaminated soils from existing drainfields shall be disposed of per Seattle King County Health Department requirements. The applicant shall comply with all City-imposed requirements that may arise from conflicts between the existing drainfield and the proposed development.

Storm Drainage

19. Final off-site storm system improvements shall be submitted to the Public Works Department and approved by the City Engineer prior to Building permit.
20. The stormwater facility shall be a bioretention cell with less than 3:1 side slopes or otherwise approved by City Engineer using the effective KCSWDM.
21. As planned, the site stormwater facility will discharge to the existing City of Duvall conveyance system north of the site. Discharge to the City system will be permitted upon completion of improvements to mitigate the hanging culvert outfall downstream deficiency. Outfall improvements shall include, but are not limited to installation of a new "bubble-up" catch basin at the channel base, 2-foot width of quarry spall at the catch basin circumference, 3:1 slope vegetated slope, a new rock wall located outside of City of Duvall improvements to accommodate grade transition, and associated City of Duvall fence revision and replacement.

Roads and Parking Lot

22. Road/frontage improvements are to be completed by the City's Main Street Improvements Project. Full joint to joint replacement for any damaged/removed/destroyed segments of the curb, gutter, and sidewalk shall be the sole responsibility of the owner.
23. A drainage system is required for the permeable areas to be connected to the on-site stormwater facility. An approved cross-section for permeable pavements within the parking area shall be provided and approved by the City Engineer prior to building permit. Acceptable materials may be (but not limited to) pavers, porous concrete, or Flexi-Pave material. Pervious asphalt may not be utilized.

Utility Easements

24. Utility easements have been reserved for and granted to all utilities serving the subject property and their respective successors and assigns, under and upon the front ten feet parallel with and adjoining the street frontage and all utility tracts in which to install, lay, construct, renew, operate and maintain underground conduits, cables, pipes, and wires together with other necessary facilities and equipment for the purpose of serving this property and other property with utility service, together with the right to enter upon the property at all times for the purpose herein stated. All utility lines shall be placed underground. These easements entered upon for these purposes shall be restored as near as

possible to their original condition. These easements shall preclude grading or any other thing; except utility facilities. These conditions shall apply as determined by the City Engineer.

FROM KING COUNTY FIRE DISTRICT #45

General

25. The applicant shall be required to comply with Duvall King County Fire District # 45's regulations to provide for public safety.

VII. LIMITATION ON SITE PLAN REVIEW AND CONDITIONAL USE APPROVALS
--

Approval or approval with conditions of a site plan shall be effective for a period not to exceed two years from the date of the preliminary approval. Provided, however, that an applicant who filed a written request with the director for site plan approval at least thirty (30) days before the expiration of this two-year period shall be granted a one year extension upon a showing that the applicant has attempted in good faith to submit final plans for the issuance of a building permit within the two-year period (DMC 14.62.050).

A conditional use permit granted in accordance with DMC Chapter 14.08 that requires construction of a building or similar facility development shall expire five years from the date of such approval. All construction in accordance with the conditional use permit shall be completed by the permit expiration date. A single one year extension may be granted by the director if the applicant can show a good faith effort to complete construction and all construction is scheduled to be completed within that one year time period (DMC 14.68.100.B).